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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
MARSH, OLIVIA MARIE	

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/501,595	ENDERLEIN ET AL.	
	Examiner	Art Unit	
	Olivia Marsh	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *13-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *13-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. **Claims 13-24 are provisionally rejected** under the judicially created doctrine of obviousness-type double patenting as being unpatentable over **claims 15 and 17-29 of copending Application No. 10/511870**. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following:

As to **claim 13**, 10/511870 discloses defining and storing, by the subscribers, subscriber-specific profiles using a respective input unit in a respective module coupled to a respective communication appliance (claim 15, lines 8-10), reading on claimed "defining subscriber-specific profiles via an input unit of a communication appliance and storing the subscriber-specific profiles in at least one of the communication appliance and a module that is coupled to the communication appliance." 10/511870 also discloses using the respective module coupled to a respective communication appliance to receive profiles from other subscribers of the communication system based on wireless, locally limited network technology; comparing received profiles to the profile which is defined and stored in the respective communication appliance in line with a profile-specific correlation threshold (claim 15, lines 11-13), reading on claimed "collecting profiles of other subscribers in the communications system through the module coupled to the communication appliance using wireless, locally restricted network technology." 10/511870 also discloses storing, upon activation by a subscriber, on the respective communication appliance the received profiles of the respective communication appliance; comparing, by the respective communication appliance, the received profiles of the respective communication appliance with one another in line with respective profile-specific correlation thresholds; storing, upon activation by the subscriber, on the respective communication appliance the received profiles of the respective communication appliance (claim 15, lines 14-23), reading on claimed "comparing the collected profiles with the profile

defined and stored in one of the communication appliance and module, wherein the profile is one of rejected or signaled to another subscriber based on comparison with a subscriber specific correlation threshold." 10/511870 also discloses when profile-specific correlation thresholds are exceeded; an interposed provider of the communication system is used to set up a communication connection between the respective subscribers having the corresponding subscriber- specific profiles upon respective activation by the subscribers (claim 17), reading on claimed "establishing a communication connection between subscribers via an intermediate provider in the communications system whenever subscriber end activation takes place."

As to **claim 14**, 10/511870 discloses everything as applied in claim 13 above and 10/511870 also discloses the wireless, locally limited network technology used is at least one of LAN technology and PAN technology (claim 18) and the wireless, locally limited network technology used is Bluetooth (claim 19), reading on claimed "the wireless, locally limited network technology is one of a local area network (LAN) and a personal area network (PANI utilizing Bluetooth technology."

As to **claim 15**, 10/511870 discloses everything as applied in claim 13 above and 10/511870 also discloses the respective communication appliance used is a mobile communication appliance operating based on a standard, the standard being one of GSM, GPRSJEDGE and UMTS (claim 20), reading on claimed "a respective mobile communication appliance, which operates in accordance with a standard, is used as the respective communication appliance, with the standard being selected from a group consisting of GSM, GPRS, EDGE and UMTS."

As to **claim 16**, 10/511870 discloses everything as applied in claim 13 above and 10/511870 also discloses each module associated with a subscriber is assigned an ID number (claim 21), reading on claimed "each module of a subscriber is allocated an ID number."

As to **claim 17**, 10/511870 discloses everything as applied in claim 13 above and 10/511870 also discloses the input unit is a computer (claim 22), reading on claimed "the input unit comprises a computer."

As to **claim 18**, 10/511870 discloses everything as applied in claim 13 above and 10/511870 also discloses a communication connection is set up between subscribers by assigning the respective subscribers a respective neutral telephone number (claim 23), reading on claimed "each subscriber in the communications system is assigned a respective neutral telephone number in order to set up a communication connection between subscribers."

As to **claim 19**, 10/511870 discloses everything as applied in claims 13 and 18 above and 10/511870 also discloses the neutral telephone numbers are assigned on a temporary basis (claim 24), reading on claimed "the neutral telephone numbers are assigned temporarily."

As to **claim 20**, 10/511870 discloses a module for integration into a mobile communication appliance which is at least one of associated with a subscriber and coupled to a mobile communication appliance associated with a subscriber via an interface (claim 25, lines 18-21), reading on claimed "a module configured to one of integrate in a mobile communication appliance or couple via an interface to the mobile communication appliance." 10/511870 also discloses a memory unit for storing a profile of the subscriber (claim 25, line 22), reading on claimed "a memory unit for storage of profiles." 10/511870 also discloses a transmission and reception unit operating on a basis of wireless, locally limited network technology, for transmitting and receiving foreign profiles from other subscribers of a communication system (claim 25, lines 23-25), reading on claimed "a collecting unit that operates using wireless, locally limited network technology, and is configured to collect profiles of subscribers in a communications system."10/511870 also discloses a correlation unit for comparing the profiles with one another (claim 25, line 27), reading on claimed "a correlation unit configured to

compare the collected profiles with one another." 10/511870 also discloses a signaling/synchronization unit for indicating respective instances of the profile-specific correlation thresholds being exceeded (claim 25, lines 28-29), reading on claimed "a signal/synchronization unit."

As to **claim 21**, 10/511870 discloses everything as applied in claim 20 above and 10/511870 also discloses the transmission and reception unit operates based on at least one of LAN technology and PAN technology (claim 26), reading on claimed "the collecting unit is configured to operate on the basis of at least one of local area network (LAN) and personal area network (PAN) technologies."

As to **claim 22**, 10/511870 discloses everything as applied in claim 20 above and 10/511870 also discloses the memory units are RAMs (claim 27), reading on claimed "the memory unit comprises a RAM."

As to **claim 23**, 10/511870 discloses everything as applied in claim 20 above and 10/511870 also discloses the correlation unit is a microcomputer (claim 28), reading on claimed "the correlation unit comprises a microcomputer."

As to **claim 24**, 10/511870 discloses everything as applied in claim 20 above and 10/511870 also discloses the signaling/synchronization unit is a software-assisted circuit (claim 29), reading on claimed "the signaling/synchronization unit comprises a software assisted circuit."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to develop the apparatus and method of the instant application, as disclosed by Application 10/511870, in order to develop an invention for duplicating a distributing information for identifying profiles of subscribers of a communication system.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 13-17 and 20-24 rejected under 35 U.S.C. 102(e) as being anticipated by Carlton *et al* (U.S. 2004/0203363 A1).

As to **claim 13**, Carlton discloses a portable communication apparatus for matchmaking with a plurality of remote communication apparatuses (para. 1). Carlton also discloses the user may instead view the questions on a CRT or LCD screen associated with the external computer 308 and complete the profiles 213/217, 214/218, as well as the additional personal information 215/219, by means of the computer keyboard and after completion, the information will be downloaded to the portable communication apparatus by means of the connector 107/307 (para. 105). Carlton also discloses the RS232/USB driver 506 is required for program loading and loading of profiles, as completed in accordance with the user's desires and preferences, from the external computer 308 (para. 84), reading on claimed "defining subscriber-specific profiles via an input unit of a communication appliance and storing the subscriber-specific profiles in at least one of the communication appliance." Carlton also discloses a CPU 313 in

the portable communication apparatus 101 controls the operations of the portable communication apparatus (para. 64), reading on claimed "a module that is coupled to the communication appliance." Carlton also discloses to this end, each user 202, 204, 206, 208 will initially complete a first profile about himself/herself, referred to as a "Who I am" profile, and a second profile about the person that the user wishes to find, referred to as a "Who I would like to meet" profile (para. 47). Carlton also discloses any of the apparatuses 201, 203, 205, 207, for instance apparatus 201, will then detect, without the knowledge of either the sending or receiving party, when other apparatuses 203, 205, 207 are within the same short-range area and, upon recognition, exchange encrypted and confidential profile information to any and all of these other apparatuses across the wireless links 209, 210, 211, 212 (para. 48), reading on claimed "collecting profiles of other subscribers in the communications system through the module coupled to the communication appliance using wireless, locally restricted network technology." Carlton also discloses on the receiving end, each apparatus will perform a correlation analysis between the incoming "Who I would like to meet" profile and the receiver's own "Who I am" profile and if the correlation or percent match between the two profiles meets or exceeds a user pre-set matching level, the original sender's additional personal information and apparatus-specific user-ID will be stored in memory (para. 49). Carlton also discloses the first value of correlation, which may be a number between 0 and 1, is a measure of how well the user 202 matches the desires of the user 204; a value of 1 indicates a complete match, whereas a value of 0 indicates no match at all and in a corresponding manner, the Must-Match parameters of the WIWLTM profile 214 associated with the user 202 are compared to the Must-Match parameters of the WIA profile 217 associated with the user 204 of the other apparatus 203, and the result of this comparison is a second value of correlation (para. 107), reading on claimed "comparing the collected profiles with the profile defined and stored in one of the

communication appliance and module, wherein the profile is one of rejected or signaled to another subscriber based on comparison with a subscriber specific correlation threshold." Carlton also discloses the contents of the Top list 1402, Buddy list 1404 and Blocked list 1406 can be accessed by the user through the GUI of the apparatus at any time and the user may select a certain user-friendly name in either the Top list 1402 or the Buddy list 1404 and try to initiate a chat session by addressing the apparatus-specific user-ID associated with that user-friendly name (para. 119), reading on claimed "establishing a communication connection between subscribers via an intermediate provider in the communications system whenever subscriber end activation takes place."

As to **claim 14**, Carlton discloses everything as applied in claim 13 and Carlton further discloses all apparatuses 201, 203, 205, 207 communicate in a point-to-point manner over the Bluetooth interface (i.e., one sender communicates with one receiver at a time) or uses a broadcast functionality which is available in Bluetooth and according to which data is transmitted to several receivers simultaneously in a piconet consisting of one master device and up to seven slave devices (para. 149), reading on claimed "the wireless, locally limited network technology is one of a local area network (LAN) and a personal area network (PAN) utilizing Bluetooth technology."

As to **claim 15**, Carlton discloses everything as applied in claim 13 and Carlton further discloses the apparatus may be realized as a separate, stand-alone unit, or may alternatively be included in, or combined with, a mobile terminal for a telecommunications network, such as GSM, UMTS, GPS, GPRS or D-AMPS, or another portable device of existing type, such as a PDA or a palmtop computer (para. 172), reading on claimed "a respective mobile communication appliance, which operates in accordance with a standard, is used as the

respective communication appliance, with the standard being selected from a group consisting of GSM, GPRS, EDGE and UMTS."

As to **claim 16**, Carlton discloses everything as applied in claim 13 and Carlton further discloses associated with the sender's "Who I would like to meet" profile is additional personal information 215, 219 and a unique apparatus-specific user-ID 216, 220, both of which are also stored locally in the apparatuses 201, 203, 205, 207 (para. 16), reading on claimed "each module of a subscriber is allocated an ID number."

As to **claim 17**, Carlton discloses everything as applied in claim 13 and Carlton further discloses, as stated previously, the user may instead view the questions on a CRT or LCD screen associated with the external computer 308 and complete the profiles 213/217, 214/218, as well as the additional personal information 215/219, by means of the computer keyboard and after completion, the information will be downloaded to the portable communication apparatus by means of the connector 107/307 (para. 105), reading on claimed "the input unit comprises a computer."

As to **claim 20**, Carlton discloses a portable communication apparatus 101, reading on claimed "apparatus," is a wireless match-making device, assisting a user of the portable communication apparatus in meeting other people, each equipped with a respective portable communication apparatus of the same, or similar, type as apparatus 101 (para. 45). Carlton also discloses the apparatus according to the present invention may be realized as a separate, stand-alone unit, or may alternatively be included in, *or combined with*, a mobile terminal (para. 172), reading on claimed "a module configured to one of integrate in a mobile communication appliance or couple via an interface to the mobile communication appliance." Carlton also discloses each user 202, 204, 206, 208 will initially complete a first profile about himself/herself, referred to as a "Who I am" profile, and a second profile about the person that the user wishes

to find, referred to as a "Who I would like to meet" profile and these profiles are stored locally in the apparatuses 201, 203, 205, 207 (para. 47) and the memory means 311 associated with the CPU 313 consists of a 1 MB flash memory 311a, *a 512 KB external static RAM (SRAM)* memory 311b and a serial 32 KB EEPROM memory 311c (para. 70), reading on claimed "a memory unit for storage of profiles." Carlton also discloses these multiple apparatuses 201, 203, 205, 207 will establish short-range wireless links 209, 210, 211, 212 between each other, exchange profile information, perform a correlation analysis and alert the users when matches occur, all in an ad-hoc manner without the users' interaction, active involvement or knowledge (para. 46) and the transceiver 309 is a BiCMOS class 1 Bluetooth radio module (para. 67), reading on claimed "a collecting unit that operates using wireless, locally limited network technology, and is configured to collect profiles of subscribers in a communications system." Carlton also discloses the software of the preferred embodiment of the portable communication apparatus 101 is divided into three major sub systems: an application software portion 402, a base software portion 404 and a Real Time Operating System 400 and the application software includes various segments of program code, which when executed by the CPU 313 will implement all the necessary functionality of the portable communication apparatus 101 (para. 77). Carlton also discloses an AppProfile module 806 implements functionality for user profile handling and for each user 201, 203, 205, 207 of the respective apparatus 202, 204, 206, 208 there will be defined a WIA ("Who I am") profile, representing the user himself/herself, as well as a WIWLTM ("Who I would like to meet") profile concerning a person that the user wishes to find (para. 99), reading on claimed "a correlation unit configured to compare the collected profiles with one another." Carlton also discloses the Top list 1402 is a high score list which stores the X best historical matches in the apparatus 201, so that the user 202 can access them at any time (para. 111). Carlton also discloses a remote apparatus ID may be added onto the Buddy list

1404 either by copying that record from the Top list 1402 or by creating a record manually through the GUI (para. 113). Carlton also discloses the AppBTEventHandler module 802b, reading on claimed "signaling/synchronization unit," is responsive to events 530 supplied by the Bluetooth process 522 in the base software 404 and these events may include: a BT_FOUND_DEVICE event to indicate that another apparatus 203 has responded to an inquiry and that, therefore, the present apparatus should proceed with the match-making procedure; a BT_MATCH_REQUEST event to indicate that another apparatus 203 has requested a match, i.e. that profile data is available; and a BT_CHAT_REQUEST event to indicate that another apparatus 203 has requested a chat session (para. 122).

As to **claim 21**, Carlton discloses everything as stated above in claim 20 and Carlton also discloses all apparatuses 201, 203, 205, 207 communicate in a point-to-point manner over the Bluetooth interface (i.e., one sender communicates with one receiver at a time) or uses a broadcast functionality which is available in Bluetooth and according to which data is transmitted to several receivers simultaneously in a piconet consisting of one master device and up to seven slave devices (para. 149), reading on claimed "the wireless, locally limited network technology is one of a local area network (LAN) and a personal area network (PAN) technologies."

As to **claim 22**, Carlton discloses everything as stated above in claim 20 and Carlton also discloses the memory means 311 associated with the CPU 313 consists of a 1 MB flash memory 311a, *a 512 KB external static RAM (SRAM) memory 311b* and a serial 32 KB EEPROM memory 311c (para. 70), reading on claimed "the memory unit comprises a RAM."

As to **claim 23**, Carlton discloses everything as stated above in claim 20 and Carlton also discloses the CPU 313 is a Bluetooth baseband processor of type PBM99090/1, which is

available from Ericsson Microelectronics AB (para. 69), reading on claimed "the correlation unit comprises a microcomputer."

As to **claim 24**, Carlton discloses everything as stated above in claim 20 and Carlton also discloses, as stated previously, the AppBTEventHandler module 802b is responsive to events 530 supplied by the Bluetooth process 522 in the base software 404 and these events may include: a BT_FOUND_DEVICE event to indicate that another apparatus 203 has responded to an inquiry and that, therefore, the present apparatus should proceed with the match-making procedure; a BT_MATCH_REQUEST event to indicate that another apparatus 203 has requested a match, i.e. that profile data is available; and a BT_CHAT_REQUEST event to indicate that another apparatus 203 has requested a chat session (para. 122), reading on claimed "the signaling/synchronization unit comprises a software assisted circuit."

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlton as applied to claim 13 above, and further in view of Holmes *et al* (U.S. 6,134,432 A).

As to **claim 18**, Carlton discloses everything as applied in claim 13 above; however, Carlton fails to disclose each subscriber in the communications system is assigned a respective neutral telephone number in order to set up a communication connection between subscribers. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Holmes.

In the same field of endeavor, Holmes teaches a system for providing wireless messaging for a bidirectional wireless electronic unit (column 1, lines 12-14). Holmes also teaches messages sent from a computer based mail system to a mobile phone 130 require a valid MSISDN and the UNIX domain name where the gateway 101 resides (column 4, lines 58-61). Homes also teaches when a message is sent from an outside email source to a mobile phone 130, the gateway 101 may create a new, temporary and unique reply MSISDN number, reading on claimed "neutral telephone number," associated with the reply address, before sending the message the reply MSISDN number onto the mobile phone 130 (column 5, lines 2-7), reading on claimed "each subscriber in the communications system is assigned a respective neutral telephone number in order to set up a communication connection between subscribers."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, as disclosed by Carlton, each subscriber in the communications system is assigned a respective neutral telephone number in order to set up a communication connection between subscribers, as taught by Holmes, so that the user of the mobile phone can reply to messages without knowing the address of the original sender, which provides anonymous communications.

As to **claim 19**, Carlton discloses everything as applied in claim 13 above and Holmes teaches everything as stated in claim 18; however, Carlton the neutral telephone numbers are assigned temporarily. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Holmes.

Homes also teaches when a message is sent from an outside email source to a mobile phone 130, the gateway 101 may create a new, temporary and unique reply MSISDN number, reading on claimed "the neutral telephone numbers are assigned temporarily," associated with the reply address, before sending the message the reply MSISDN number onto the mobile phone 130 (column 5, lines 2-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, as disclosed by Carlton, each subscriber in the communications system is assigned a respective neutral telephone number in order to set up a communication connection between subscribers, as taught by Holmes, so that the user of the mobile phone can reply to messages without knowing the address of the original sender, which provides anonymous communications.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia Marsh whose telephone number is 571-272-7912. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CHARLES APPIAH
PRIMARY EXAMINER